

REMARKS

Claims 17 and 20 have been cancelled. Claims 1, 5-6, 16, and 18 have been amended to clarify the subject matter regarded as the invention. New Claims 21 and 22 have been added. Claims 1-16, 18-19, and 21-22 are pending.

The Examiner has rejected Claims 1, 2, 4-12, 16, and 18-20 under 35 U.S.C. §103(a) as being unpatentable over Giovannoli (U.S. Patent No. 5,758,328) in view of Walker (U.S. Patent No. 5,794,207), and further in view of Fedor (U.S. Patent No. 6,785,660). The Examiner has rejected Claim 3 under 35 U.S.C. §103(a) as being unpatentable over Giovannoli, Walker ('207), and Fedor in view of Walker (U.S. Patent No. 6,415,264). The Examiner has rejected Claims 13 and 14 under 35 U.S.C. §103(a) as being unpatentable over Giovannoli, Walker ('207), and Fedor in view of Ausubel (U.S. Patent No. 5,905,975). The Examiner has rejected Claims 15 and 17 under 35 U.S.C. §103(a) as being unpatentable over Giovannoli, Walker ('207), and Fedor in view of Godin (U.S. Patent No. 5,890,138). The rejections are respectfully traversed.

As amended, Claim 1 recites "requesting the one or more winning bidders to confirm an award by a confirmation deadline." Support for the amendment may be found, without limitation, in Figure 7 of the Specification. The Examiner has acknowledged that Giovannoli, Walker ('207), and Fedor fail to teach the step of confirming the award. The Examiner has suggested that Godin "teaches a winning bidder is taken to a confirmation screen where said bidder must input financial information to confirm the award and complete the transaction." Godin does not teach or suggest that "one or more winning bidders" is requested to "confirm an award by a confirmation deadline" as recited in Claim 1. Therefore Claim 1 is believed to be allowable.

Claims 2-16 depend from Claim 1 and are believed to be allowable for the same reasons described above.

As amended, independent Claim 18 similarly recites a system that "requests the one or more winning bidders to confirm an award by a confirmation deadline" and is believed to be allowable for the same reasons described above. Claims 19 and new Claim 21 depend from Claim 18 and are believed to be allowable for the same reasons described above.


New Claim 22 recites program code for carrying out the method of Claim 1. Therefore, it is believed that Claim 22 is also allowable.

The foregoing amendments are not to be taken as an admission of unpatentability of any of the claims prior to the amendments.

Reconsideration of the application and allowance of all claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

Respectfully submitted,

Dated: 10/29/07



Robyn Wagner
Registration No. 50,575
V 408-973-2596
F 408-973-2595

VAN PELT, YI & JAMES LLP
10050 N. Foothill Blvd., Suite 200
Cupertino, CA 95014